

In re the Application of:

Daniel M. LaFontaine, et al.

**Serial No.: 09/713,749**

**Filed:** November 14, 2000

**For: ELECTROPHYSIOLOGY ENERGY  
TREATMENT DEVICES AND METHODS  
OF USE**

**Group Art Unit: 3739**

**Confirmation No.: 6224**

**Examiner:** Ahmed M. Farah

## TRANSMITTAL

M/S: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**1. Documents enclosed:**

Transmitted herewith in response to the Office Action mailed July 14, 2004, for the above-identified application, are the following:

- ☒ Response and Amendment (7 pages);
- ☒ Transmittal with certificate of mailing an extension of time (2 pages);
- ☒ Applicant's Interview Request (Form PTOL-413A) (1 page);
- ☒ Return Postcard.

**CERTIFICATE OF MAILING TRANSMISSION**  
**(37 C.F.R. §1.8)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposit with the Unites States Postal Services on the date shown below with sufficient postage as "First Class Mail" to addressee in an envelope addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

Maritza D. Kidd

Name of Person transmitting Paper

November 15, 2004

Date of deposit

~~Signature of Person depositing Paper~~

**2. Request for EXTENSION of Time:**

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☒ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input checked="" type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$215.00	\$430.00
<input type="checkbox"/> three months	\$490.00	\$980.00
<input type="checkbox"/> four months	\$765.00	\$1,530.00
<input type="checkbox"/> five months	\$1,040.00	\$2,080.00
<b>Fee</b>		<b>\$110.00</b>

- ☒ If any extension fee is required, please consider this a petition therefore.

**3. Method of Payment of fee:**

- ☐ Check in the amount of \$\_\_\_\_\_ is enclosed to cover the above fee(s).
- ☒ Charge Bingham McCutchen's Deposit Account No. **50-2518** in the amount of **\$110.00**.
- ☒ The Commissioner is authorized to charge Bingham McCutchen's Deposit Account No. **50-2518** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **50-2518**.

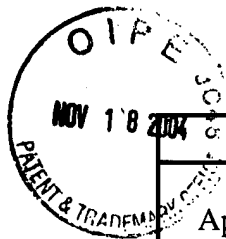
Respectfully submitted,  
BINGHAM McCUTCHEN LLP

Dated: November 15, 2004

By: 

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Reg. No. 51,893

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## Applicant Initiated Interview Request Form

Application No.: 09/713,749 First Named Applicant: Daniel M. LaFontaine  
Examiner: Ahmed M. Farah Art Unit: 3739 Status of Application: Pending

### Tentative Participants:

(1) Farah (2) Scott S. Kokka  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 10/11/04 Proposed Time: 1:00 EDT (AM ☐/PM ☒)

### Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>see below</u>	<u>per 7/14/04 OA</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

### Brief Description of Arguments to be Presented:

Applicants wish to discuss rejection of claims 70, 72-75, 79, 81, 82, and 85-87 in light of attached proposed amendments.

An interview was conducted on the above-identified application on 10/11/2004.

### NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

(Applicant/Applicant's Representative Signature)

\_\_\_\_\_  
(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.